

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHN A. ARETAKIS,

Plaintiff,

against-

ROBERT DURIVAGE, TIMOTHY NUGENT, TOWN  
OF NORTH GREENBUSH AND ROBERT D. WELLS,

Defendants.

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**NOTICE OF CROSS MOTION**

**Civil Action No. 07-Civ-5444 -  
(Hon. Shira A. Scheindlin)**

**PLEASE TAKE NOTICE**, that John A. Aretakis, Attorney and Pro Se Plaintiff hereby

Cross Moves this Court and sets out as follows:

Cross Motion by: Plaintiff, JOHN A. ARETAKIS.

Date, Time and Place of Hearing: December 14, 2007, 9:30 a.m., United States District Court-Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, or at any such time the Court deems appropriate.

Supporting Papers: Affidavit of John A. Aretakis, dated November 14, 2007 and Memorandum of Law dated November 14, 2007 and Exhibit "A".

Relief Requested: Removal, recusal or disqualification of Michael L. Costello, Defendant Robert Wells' counsel, or for the Court to Schedule a Hearing with respect to disqualification, and leave of the Court to accept for filing the Amended Complaint or nunc pro tunc filing of the Plaintiff's Amended Complaint, and Affidavit in Opposition to Defendants' Motions to dismiss and to change venue.

Opposition papers due on a date ordered by the Court or the Federal Rules of Civil

Procedure and pursuant to Rule 6.1(b).

DATED: NEW YORK, NEW YORK  
NOVEMBER 14, 2007

/s/ \_\_\_\_\_  
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